

UNITED STATES PRETRIAL SERVICES AGENCY
Eastern District of New York

MEMORANDUM

DATE: February 14, 2006

TO: Honorable Edward R. Korman
United States District Judge

RE: Justin Belton
05-CR-589


Request for Revocation of Bail Release Conditions and Issuance of a Bench Warrant

The above referenced defendant charged with Possession with Intent to Distribute Crack Cocaine, made his initial appearance before Magistrate Judge Viktor V. Pohorelsky on June 29, 2005, and was detained until August 26, 2005. On that date he appeared before Magistrate Judge Steven M. Gold and was released on a \$50,000 unsecured bond and ordered to participate in Pretrial Services' Special Options Services. The program's conditions include: in-person and telephone reporting as directed, participation in educational and vocational programs as directed, random drug testing and treatment as necessary, mental health treatment as needed, random home and employment visits, have no contact with any known criminals or others engaging in criminal activity, and travel restrictions to New York City. On December 5, 2005, we sent a memorandum to Your Honor advising that the defendant tested positive for marijuana on November 15, 2005, and that he had been violating his curfew. We did not request any adverse action and advised that we will continue to monitor Mr. Belton.

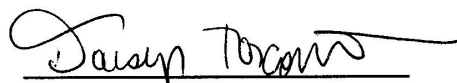
We are now writing to advise Your Honor that the defendant has violated his release conditions and to request that a warrant be issued as a detainer. Mr. Belton is presently in State custody after being picked up on a bench warrant on or about February 1, 2006, issued by the Kings County Criminal Court for failure to appear for sentencing. Bail will not be set and he will be detained until his sentence date which is scheduled for February 22, 2006. Besides the arrest, Mr. Belton has not complied with the court's conditions of release. Pretrial Services referred this defendant to several educational programs and he has either failed to follow through with the intake process or has not been able to complete any program. Additionally, he has violated his curfew on several occasions. The defendant has failed to answer the majority of curfew calls, but maintains that he is always at his residence. We have also tried to assist the defendant with employment leads and career development, but Mr. Belton has failed to seize the opportunities afforded to him.

In light of the above noted arrest and issues of noncompliance, Pretrial Services is requesting that Your Honor issue a warrant for this defendant to be lodged as a detainer. If the defendant is released after the February 22, 2006, we will request that a bail revocation hearing be scheduled. We have advised both the Government and Defense Counsel regarding this matter. Should Your Honor find this request appropriate, we have attached an Order for your convenience. Please feel free to contact Amina Adossa-Ali at (718)613-2318 should Your Honor have any questions or concerns.

Prepared by:


Amina Adossa-Ali
U.S. Pretrial Services Officer

Approved by:

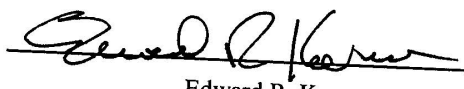

Daisy Toscano
Supervising Pretrial Services Officer

Re: Justin Belton
Docket No.: 05-CR-589

☒ Request to revoke bail release conditions is granted. Pretrial Services is directed to prepare and process warrant application for Court's signature.

☐ Request to revoke bail release conditions is granted. U.S. Attorney's Office is directed to prepare and process warrant application for Court's signature.

Other instructions:



Edward R. Korman
Chief United States District Judge

2/22/06

Date

CC Roger Burlingame, AUSA
Max Minzner, AUSA
Mitch Dinnerstein, Defense Counsel

UNITED STATES DISTRICT COURT
for
Eastern District of New York

U.S.A. vs. Justin Belton Docket No. 05-CR-589

Petition for Action on Conditions of Pretrial Release

COMES NOW Cynthia Lawyer CHIEF PRETRIAL SERVICES OFFICER
presenting an official report upon the conduct of defendant Justin Belton
who was placed under pretrial release supervision by the Honorable Steven M. Gold
sitting in court at EDNY, on the 26 day August, 20 05
under the following conditions:

1. SOS program
2. Random Home Visits
3. Curfew as Directed
4. Must Reside with Parents
5. Surrender Passport and not Reapply
6. Travel Restricted to EDNY + SDNY
7. Drug Treatment
8. Report as Directed

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

See attached memo

PRAYING THAT THE COURT WILL ORDER REVOCATION OF THE BAIL RELEASE CONDITIONS AND
ISSUE AN ARREST WARRANT

ORDER OF COURT

Considered and ordered 22nd day
of Feb, 20 06 and ordered filed
and made a part of the records in the above case.

I declare under penalty of perjury that the foregoing is
true and correct.

Executed on 2/22/06
Amina Akbar
U.S. Pretrial Services Officer

U.S. District Judge/Magistrate (Signature)

Place Eastern District of New York